

#### What is E-rate?

- Federal program that provides discounts to assist most schools and libraries in the United States (and U.S. territories) to obtain affordable telecommunications (telephone) and Internet access.
- Funded through the Universal Service fee charged to companies that provide telecommunications services.

#### What is E-rate?

- Created by the Telecommunications Act of 1996
  - Telecommunications providers were ordered to supply their services to schools and libraries at discounted rates determined by the FCC (S.652, Section 254(h) (1)(B)).
  - FCC was directed to establish rules "to enhance... access to advanced telecommunications and information services for all public and nonprofit elementary and secondary school classrooms, health care providers, and libraries" (Section 254(h) (2)(A)).

#### **General information**

- Federal Communications Commission (FCC), an independent U.S. government agency, oversees the E-rate program
- Universal Service Administrative Company (USAC), a not-for-profit, administers E-rate along with three other programs
- Schools and Libraries Division (SLD) is the part of USAC with responsibility for E-rate

#### **General information**

#### E-rate Rules

- The FCC sets rules and policies through orders
  - Policies are defined in the text of orders
  - Sixth Report and Order released Sept. 28, 2010.
     Effective Date of the Order Jan. 3, 2011 30 days after publication in the Federal Register.
- USAC/SLD develops procedures for specific actions, such as how to process applications
  - USAC submits its procedures to the FCC for approval each year

#### **General information**

- Commitments for E-rate are made by funding year, which runs from July 1 through the following June 30
  - E.g., FY2012 is July 1, 2012 June 30, 2013
- Commitments are capped at \$2.25 billion for each funding year
  - Once each year, FCC can roll over unused funds from previous funding years into the current funding year
  - Starting with FY2010, cap will be increased based on inflation. New cap for FY2010: \$2.27 billion. For FY2011: \$2.29 billion.

#### **General information**

- · Who can apply?
  - Libraries and library systems
    - Eligible for LSTA funds
    - In NE all public libraries are eligible
  - Schools and school districts
  - Consortia groups of eligible entities that band together to aggregate demand and negotiate lower prices

#### General information

- How large are the discounts on eligible products and services?
  - Discounts: 20% to 90% of eligible costs
  - Discount for a library depends on:
    - Percentage of K-12 students eligible for National School Lunch Program (NSLP) in the school district in which the library is located - can't include PreK
    - Urban or rural location of the library

## **Calculate Your Discount – 3 Steps**

- Check your NSLP data on the Nebraska DOE website: http://www.education.ne.gov/DataServices/ Data and Information.html
- Check your Urban/Rural Status:
   http://www.usac.org/sl/applicants/step05/urban-rural/
- Use the Discount Matrix to determine your discount : http://www.usac.org/sl/applicants/step05/discountmatrix.aspx

Instructions/example:

http://www.sl.universalservice.org/reference/discount.asp#library

Apply online - the math is done for you!

Percent of Eligible Students	Urban	Rural
Less than 1%	20%	25%
1% - 19%	40%	50%
20% - 34%	50%	60%
35% - 49%	60%	70%
50% -74%	80%	80%
75% -100%	90%	90%

## What is "E-rate-able"?

- The FCC publishes the **Eligible Services List** each year.
- The list can be found at the SLD site in PDF format:

http://www.usac.org/sl/tools/eligible-services-list.aspx

## **Eligible Services**

What services are eligible?

- Priority 1 (funded first)
  - Telecommunications Service eligible telecommunications carrier
  - Telecommunications non-telecommunications carrier via fiber
  - Internet Access
- Priority 2 (funded beginning with needlest applicants first)
  - Internal Connections
  - Basic Maintenance of Internal Connections

## **Eligible Services – Priority 1**

- Telecommunications support for telecom services such as:
  - Local and long distance service
  - Interconnected Voice over Internet Protocol (VoIP)
  - Cellular voice service
    - · Including text messaging, voicemail
    - (For email/Internet on your phone, remember to check the IA box on your 470!)

## **Eligible Services – Priority 1**

- Telecommunications support for telecom services such as:
  - Digital Transmission Services
    - Digital Subscriber Line (DSL)
    - Primary Rate Interface (PRI)
    - T-1, T-3
    - · Satellite Service

## **Eligible Services – Priority 1**

- · Internet Access (IA):
  - Support for IA includes Internet Service Provider (ISP) fees as well as the conduit to the Internet
  - Other eligible Internet Access services include:
    - · E-mail service
    - · Wireless Internet access
    - Interconnected VoIP
    - · Web hosting

# **Eligible Services – Priority 1**

- Not eligible as Internet Access
  - Costs for Internet content
    - Subscription services such as monthly charges for on-line magazine subscriptions
  - Internet2 membership dues
  - Web site creation fees
  - Web based curriculum software
  - Software, services or systems used to create or edit Internet content

## **Eligible Services – Priority 2**

- Internal Connections
  - Support for equipment and cabling on-site that transport info to classrooms or public rooms of a library
  - Subject to the Two-in-Five Rule
    - Entities can only receive funding every two out of five years

## Eligible Services – Priority 2

- · Basic Maintenance of Internal Connections
  - Support for basic maintenance of eligible internal connections (BMIC)
  - Such as:
    - · Repair and upkeep of hardware
    - Wire and cable maintenance
    - · Basic tech support
    - Configuration Changes

## **Eligible Services – Priority 2**

- · Basic Maintenance of Internal Connections
  - Agreements or contracts must state the eligible components covered, make, model and location
  - Service must be delivered within the July 1<sup>st</sup> to June 30<sup>th</sup> timeframe
  - Two-in-Five Rule does not apply to BMIC
  - Support for BMIC is limited to actual work performed under the contract

# Eligible Services – Miscellaneous

- · Miscellaneous charges
  - Miscellaneous charges can apply to all four Service categories and are funded in the category of the service they are supporting.
  - Training is eligible when included as part of the contract and performed coincidently with the installation of the new service/product or in a reasonable time there after.
    - Training for end-users or professional development is not eligible

# Eligible Services – Miscellaneous

- · Miscellaneous charges
  - Taxes, surcharges and other similar reasonable charges are eligible for discount. This includes but is not limited to:
    - · Universal Service Fund
    - Excise Tax
    - 911
    - Local Number Portability
    - · Telephone relay service

#### **E-rate Forms**

- There are four basic forms all can be filed online
  - 1. Form 470 (I want a service)
  - 2. Form 471 (I have chosen a service provider)
  - 3. Form 486 (I am receiving the service)
  - 4. Form 472/474 (I have paid all my bills give me my money!)
- Online filing speeds processing and reduces errors: http://www.usac.org/sl/
- Libraries need to keep copies of all E-rate paperwork for 5 years after the last date of service.
  - Can be electronic or paper.





Form or Event	Deadline or Dates		
Funding Year (FY)	> Funding Year you are currently applying for is 2012 - July 1, 2012 through June 30, 2013.		
Form 470	Starts request for services. Must be posted at least 28 days before the filing Form 471. Note (1) timeframe for all bids (2) Form 471 filing closing date. Will receive Receipt Modification Letter – RNL. February 21, 2012 is the last day you can POST a Form 470 and still comply with the 28-day waiting period.		
Form 471	Tells SLD what services you want, the provider, costs, schools getting services, discount %, contract or MTM, etc. 471 filing window opens at noon EST on Jan. 9, 2012 and will close at 11:59pm EST on March 20, 2012. Will receive Receipt Acknowledgement Letter – RAL.		
PIA review	SLD's Program Integrity Assurance (PIA) staff review all applications, which can take over 8 months. PIA will contact you with questions.		
FCDL sent	> Starting late April, Funding Commitment Decision Letters sent to applicants. This continues for months.		
Form 486	Confirms start of service. Must be received/postmarked within 120 days after FCDL date or 120 days after the Service Start Date, whichever is later.		
Form 472 / Form 474	Get discounts on bills (#474) or reimbursements (#472). Received or postmarked no later than 120 days after the date of the Form 466 Notification Letter or 120 days after the last date to receive service, whichever is later.		
Appeals	Must be received within 60 days of date on the FCDL.		

General information				
<ul> <li>Each time you file a you a letter</li> </ul>	a program form, USAC sends			
<ul> <li>Letters are color-coded by funding year</li> </ul>				
• 2006	Canary			
• 2007	Pink			
• 2008	Blue			
• 2009	Canary			
• 2010	Pink			
• 2011	Blue			
• 2012	Canary			

# **Technology planning**

- \*New Rule\* Starting for FY2011, if you are only requesting Priority 1, a technology plan is NOT required
- You must write a technology plan that contains the following elements:
  - Goals and strategies for using technology to improve education or library services
  - 2. Staff training
  - 3. Needs assessment
  - 4. Evaluation plan
  - Budget (ONLY for Tech Plans for FY2010 and earlier)

#### Four criteria for a technology plan

- (1) Goals and strategy for using telecommunications and information technology to improve library services;
- (2) a professional development strategy to ensure that staff know how to use these new technologies to improve library services;
- (3) An assessment of the telecommunication services, hardware, software, and other services that will be needed to improve library services;
- (4) An evaluation process that enables the library to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

## **E-rate and Technology Plans**

- Technology Plans criteria for E-rate http://www.usac.org/sl/applicants/step02/ technology-planning/
- NLC Technology Planning Worksheet http://nlc.nebraska.gov/erate/techplan.aspx
- Libraries need to keep copies of the technology plan and the approval letter for audit purposes.

#### **Technology Plans**

- Must be written prior to the Form 470 filing Should have a "creation date" that pre-dates the Form 470
- Plans must support requested services on Form 470
- Should be written for 3 years can be updated/modified if significant changes are needed
- Must be approved by a USAC-certified Technology Plan Approver before your services begin or before you file the Form 486—whichever date is earlier
- If Priority 2 services are included in current approved technology plan, and plan covers at least part of upcoming funding year, new plan is not needed.

# **CIPA/NCIPA Compliance**

(Children's Internet Protection Act)

- · Compliance with CIPA required for:
  - · Internet access
  - · Internal connections
- CIPA requires:
  - · Internet Safety Policy
  - · Technology Protection Measure
  - · Public Notice and Meeting/Hearing
- SLD information on CIPA:
  - http://www.usac.org/sl/applicants/step10/cipa.aspx

## **New CIPA Order**

- FCC Report and Order FCC 11-125
  - Released August 11, 2011
- New requirements come from the Protecting Children in the 21<sup>st</sup> Century Act, which updated the Children's Internet Protection Act.

## New requirements under CIPA

- FOR SCHOOLS By July 1, 2012, amend your existing Internet safety policy (if you have not already done so) to provide for the education of minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyberbullying awareness and response.
- FOR LIBRARIES No new requirements!
- Overall several existing statutory requirements have been codified and others have been clarified.

## **Internet Safety Policy**

- · Issues that must be addressed:
  - Access by minors to inappropriate material
  - Safety/security of minors when using e-mail, chat rooms, other direct electronic communications
  - Unauthorized access, including "hacking" and other unlawful activities by minors online
  - Unauthorized disclosure, use and dissemination of personal information regarding minors
  - Measures designed to restrict minors' access to materials harmful to minors

## Policy issues that must be addressed:

- NOTE: FCC is not telling you how to address these issues, local issue how you will address them. FCC just telling you that you must address them.
- You may already have an acceptable use policy. Don't need a separate policy for E-rate.
   Can just use one you already have for E-rate purposes.

## **Technology protection measure**

- Specific technology that blocks or filters Internet access
- Must protect against access by adults and minors to visual depictions that are obscene, child pornography, or harmful to minors
- Can be disabled for adults engaged in bona fide research or other lawful purposes

TIP: Retain documentation demonstrating that your filter is in place.

## Public notice and meeting or hearing

 Proposed policy must be addressed at a public meeting or hearing for which reasonable public notice was given.

TIP: Retain documentation of public notice (e.g., newspaper ad, flyer, announcement in other publication) and documentation of hearing or meeting (e.g., board agenda, meeting minutes).

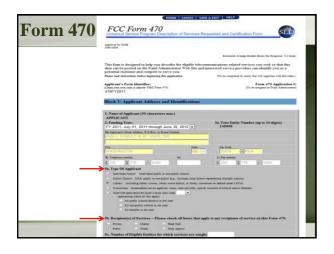
## Request services - Form 470

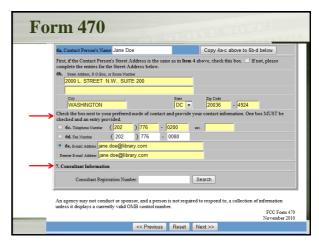
- · You post a Form 470 to:
  - Open a competitive bidding process
  - Notify potential bidders (service providers) of the types and quantities of services that you need
  - Define the scope of your needs (e.g., a school building, a library system, a state network)

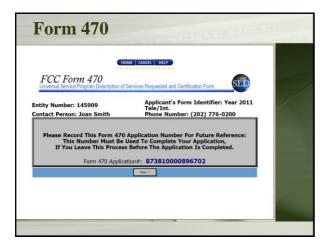
#### **Form 470**

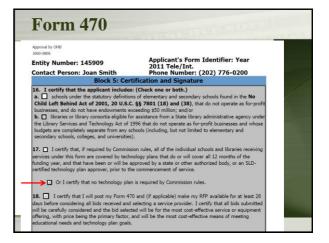
- Must be posted for at least 28 days before you choose a vendor, sign contracts and file Form 471
  - February 21, 2012 is the last day you can post a Form 470 and still comply with the 28-day waiting period for FY2012.
- Keep track of all bids if any are received
- Price must be primary factor in selecting a phone company if you receive multiple bids.
- Must file this form every year for telephone











#### **Acronyms and terms**

- Billed Entity Number (BEN) an identification number assigned by USAC to each school or library building
  - Need a BEN? Call SLD at 1-888-203-8100
- Personal Identification Number (PIN) a code assigned by USAC to applicants for use in certifying program forms online
  - USAC issues a PIN to every new authorized person filing a paper Form 470, 471, or 486

#### **Acronyms and terms (cont.)**

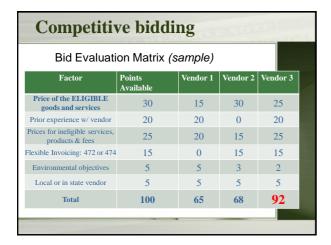
- Form 470 Receipt Notification Letter (RNL) – a letter issued by USAC to the applicant that summarizes the information provided in the Form 470
- Allowable vendor selection/contract date (ACD) – the date 28 days after the Form 470 is posted to the USAC website

# **Competitive bidding**

- When you open a competitive bidding process for your services:
  - Potential bidders have the information from your Form 470 and/or RFP and can respond to your requests
  - You must ensure that the competitive bidding process is open and fair
  - You must be prepared to evaluate bids

## **Competitive bidding**

- · Must have a fair and open bidding process
  - Bid document (RFP) optional, is a local decision
  - All vendors are treated the same; have access to same information
  - Vendors cannot be involved in your 470
- Must choose most cost-effective bid
  - Cost must be primary factor
  - Non-eligible products/services not part of cost effectiveness
  - Fully document your bid review process and any decision(s)
    - · Record dates of any decisions, actions taken, etc.



# **Competitive bidding**

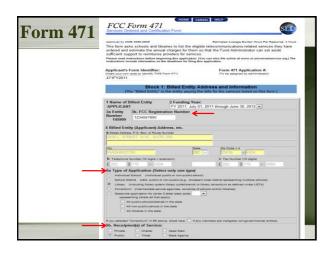
- After you close the competitive bidding process for your services (on or after the ACD):
  - You can evaluate the bids received
  - You can choose your service provider(s)
  - You can sign a contract
  - You can post a Form 471

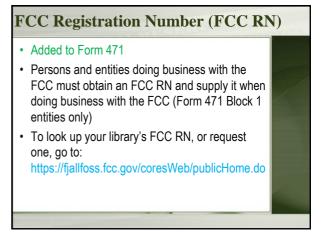
## **Choose services – Form 471**

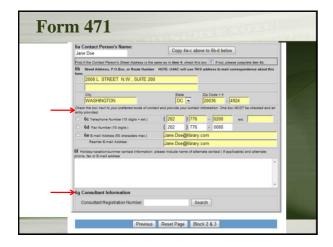
- You post a Form 471 to:
  - Report information on the service providers and services you have chosen
  - Provide a list of the libraries that will receive services
  - Include discount calculation information including student NSLP counts
  - Certify your compliance with program rules

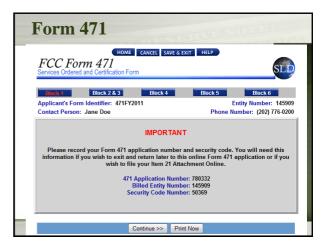
#### **Form 471**

- File after the Form 470 has been posted for at least 28 days and contracts are signed (if the service requires a contract)
- Provides specific information on services, service providers selected, and contracts and/or agreements, costs, etc.
- · Must be filed each funding year
  - · Applicant certifies compliance with all program rules
  - FY2012 application filing window opens at noon EST on January 9, 2012. Form 471 must be postmarked or filed online by 11:59pm EST on March 20, 2012.
  - Form 470 certifications must also be filed online or postmarked before the close of the 471 filing window









# Receipt Acknowledgement Letter (RAL)

- Form 471 Receipt Acknowledgment Letter (RAL)
  - Cover page of important reminders
  - Provides confirmation of certain information entered from Form 471
    - Ministerial and clerical errors can be corrected until USAC issues the Funding Commitment Decision Letter
    - Applicants can request funding reductions but not funding increases

#### **Acronyms and terms**

- Funding Request Number (FRN) the identification number assigned to a Form 471 Block 5 funding request
- Service Provider Identification Number (SPIN) – the identification number assigned by USAC to a service provider
  - Service providers may have more than one SPIN in order to identify separate business units, different states in which they operate, etc.

## Acronyms and terms (cont.)

- Item 21 Attachment (Item 21) the description of services associated with a funding request (Item 21 on Form 471)
  - must be submitted by the close of the application filing window
  - can be submitted online, by fax, email, or on paper

## Acronyms and terms (cont.)

- Form 471 Receipt Acknowledgment Letter (RAL) – a letter issued by USAC to the applicant and the service provider that summarizes the information provided in the Form 471
  - Many of the entries on the form can be corrected after submission by using the RAL
  - Ministerial and clerical errors can be corrected until USAC issues the Funding Commitment Decision Letter

#### **Ministerial & Clerical Errors**

 "The applicant can amend its forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation <u>until an FCDL</u> is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error."(FCC 11-60)

## **M&C Errors Examples**

- · Spelling errors
- Simple addition, subtraction, multiplication or division errors
- Transposed letters and/or numbers
- · Misplaced decimal points
- Other punctuation marks (hyphens, periods, commas, etc.) included, or not included or misplaced
- Failing to enter an item from the source list (e.g., NSLP data, uploading Block 4 data, FRN, etc.)

#### Form 470 Allowable Corrections

- Update or change contact person and/or consultant information
- · Billed entity information
- · Add the authorized person signature
- Change or update eligible entities receiving service (Note: changes are accepted if it is not a significant change from the original scope)
- · Certification not submitted by Window close

#### Form 471 Allowable Corrections

- · Incorrect citation such as:
  - FCC Form 470 number
  - Discount percent
  - Urban/rural status
  - Contract number
  - Billing Account Number/Multiple Billing Account Numbers
  - Block 4 worksheet entries

#### Form 471 Allowable Corrections

- Update or change contact person and/or consultant information
- · Correct errors to dollars figures on an FRN
- Add or remove entities accidentally omitted or included in block 4
- · Provide accidentally omitted FRNs
- Amount budgeted for ineligible services (Block 6)

# **Submitting Corrections**

- Form 470 corrections submitted via Receipt Notification Letter (RNL)
- Form 471 corrections submitted via Receipt Acknowledgement Letter (RAL) and/or during FCC Form 471 review
- · Follow submission instructions on letter

## **Application review**

- USAC reviews your Form(s) 471 to:
  - Check the eligibility of the schools and libraries and their discount levels
  - Verify that the services you requested are eligible for discounts
  - Give you an opportunity to make allowable corrections to your form
  - In some cases, ask for additional verification of your compliance with program rules

#### **Funding Commitment Decision Letter (FCDL)**

- FCDL reports status of individual funding requests:
  - Funded
  - Not funded
  - As yet unfunded (internal connections)
  - Canceled
- · May receive more than one FCDL
- Use info on FCDL to prepare Form 486

#### **Appeals**

- · Funding denials can be appealed
  - · Generally, appeal first to the SLD
  - Then appeal to FCC if SLD denies appeal
- Must be postmarked within 60 days of denial on ECDI
- FCC has been granting many appeals
  - But can be a year or more
- See Appeals Procedure on SLD Website:
  - http://www.usac.org/sl/about/appeals/default.aspx

#### Acronyms and terms

- Program Integrity Assurance (PIA) the USAC group that reviews and makes funding decisions on program applications
- Funding Commitment Decision Letter (FCDL) – a letter issued by USAC to the applicant and the service provider that contains commitment decisions on funding requests

#### Start services - Form 486

- You post a Form 486 to:
  - Notify USAC that services have started and invoices for those services can be processed and paid
  - Provide the name of the TPA that approved your technology plan (if needed)
  - Report your status of compliance with CIPA (if needed)

#### E-rate Form 486

- Certifies that Tech Plan (if required) has been approved and covers the entire funding year.
- Form 486 deadline is 120 days after service starts
- OR-
- 120 days after date of Funding Commitment Decision Letter date, whichever is later
  - October 29 deadline for FCDL before July 1

#### Acronyms and terms

 Form 486 Notification Letter – a letter issued by USAC to the applicant and service provider after a Form 486 has been processed

## **Invoicing USAC - Forms 472/474**

- Applicants have a choice of two invoicing methods to receive discounts on eligible services:
  - Billed Entity Applicant Reimbursement (BEAR) Form 472
    - to receive reimbursement after you have paid your bill
  - Service Provider Invoice (SPI) Form 474
    - to receive the discount on your bill

## **Invoicing USAC - Forms 472/474**

- BEAR Form is filed by the applicant and approved by the service provider after the applicant has paid for the services in full
  - Form due October 28, 120 days after last service date, June 30
  - Or 120 days after date of Form 486
     Notification Letter
- SPI Form is filed by the service provider after the applicant has been billed for the nondiscount portion of the cost of eligible services

## **Invoicing USAC - Forms 472/474**

- · Acronyms and terms
  - BEAR Notification Letter a letter issued by USAC to the applicant and service provider after a BEAR has been processed
  - Quarterly Disbursement Report a report issued to the applicant detailing all invoicing activity (BEARs and SPIs) during the previous quarter

# **Getting help**

- SLD Client Service Bureau (CSB)
  - 1-888-203-8100
  - Submit a Question http://www.slforms.universalservice.org/

     EMailResponse/EMail\_Intro.aspx
- USAC website www.usac.org/sl

## **Useful Links**

- SL News Briefs http://www.usac.org/sl/tools/news-briefs/
- Tip Sheets http://www.usac.org/sl/about/tip-sheets.aspx
- Process flowchart reminds you where you are http://www.usac.org/\_res/documents/sl/pdf/ application-process-flow-chart.pdf

## Questions???

Christa Burns
Special Projects Librarian
Nebraska Library Commission
http://nlc.nebraska.gov/erate/
800-307-2665
christa.burns@nebraska.gov